



11-14-02

Corres. and Mail  
**BOX AF**

AF/3724  
*Copy*  
PATENT

Practitioner's Docket No. 019502.0007US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Earl Votolato

Application No.: 10/010,158  
Filed: 11/13/2001  
For: Bag Slitting Apparatus

Group No.: 3724  
Examiner: T. Druan

**RECEIVED**

NOV 18 2002

TECHNOLOGY CENTER R3700

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP**

**Box AF  
Commissioner for Patents  
Washington, D.C. 20231**

**AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL**

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using *Express Mail*, the *Express Mail* label number is **mandatory**;  
*Express Mail* certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231  
37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10\*  
G with sufficient postage as first class mail. ☒ as "Express Mail Post Office to Addressee"  
Mailing Label No. EV099380562US

**TRANSMISSION**

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

*Erika Simpson*  
Erika Simpson

Date: 11/12/02

## STATUS

2. Applicant is a small entity. A statement was already claimed.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No Previously Paid For	Present Extra	Rate	Addit Fee
Total	6	Minus	20	= 0	x \$9 =	\$0
Indep	1	Minus	3	= 0	x \$42 =	\$0
First Presentation of Multiple Dependent Claim					+ \$140 =	\$0
					Total Addit. Fee	\$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,  
 \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".  
 \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".  
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

**FEE DEFICIENCY**

5.

If any additional extension and/or fee is required, charge Account No. 502191.

If any additional fee for claims is required, charge Account No. 502191.

Date: 11/12/2002



Sandra P. Thompson  
Registration No. 46264  
Rutan & Tucker, LLP  
611 Anton Blvd., Suite 1400  
Costa Mesa, CA 92626  
714-641-5100  
Customer No. 34284

Serial No.: 10/010,158  
Practitioner Docket No. 019502.0007US1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231

Inventor: **Earl J. Votolato**  
Serial No: **10/010,158**  
Filed: **November 13, 2001**  
For: **Bag Slitting Apparatus**

Examiner: **Thomas J. Druan**  
Art Unit: **3724**

**RESPONSE UNDER  
37 C.F.R. section 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP  
\*\*\*3724\*\*\***

**Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231**

**RECEIVED**  
**NOV 18 2002**  
TECHNOLOGY CENTER R3700

Dear Sir:

This paper responds to the Final Office Action dated September 11, 2002. Since the Response After Final was due on November 11, 2002 (Veteran's Day), this Response After Final is timely filed on the next business day – November 12, 2002. (MPEP §710.05) Please enter the following (A **Clean Copy** of the claims is provided below with the non-amended claims in italics for your reference; a **Marked-Up Copy** of the claims is hereto attached):

**IN THE CLAIMS**

1. (Twice Amended) A bag slitting apparatus for opening a sealed bag along an edge of said bag, the apparatus comprising a first arm having a first outer surface and a first inner surface, a second arm having a second outer surface and a second inner surface, wherein said first and